



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**September 29, 2022**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 21278  
(FIRST REVISION)

**EXPIRATION DATE: 2026-08-31**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: ConocoPhillips Alaska, Inc.  
Anchorage, AK
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of refrigerated liquid nitrogen aboard cargo-only aircraft within Alaska. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Hazardous Materials Table Column (9B) in that the quantity limitation is waived, and § 173.318 in that a non-DOT specification packaging is authorized.
5. BASIS: This special permit is based on the application of ConocoPhillips Alaska, Inc. dated July 11, 2022 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Nitrogen, refrigerated liquid <i>cryogenic liquid</i>	2.2	UN1977	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packagings are non-DOT specification vacuum-insulated portable tanks manufactured under DOT-SP 12442.

b. OPERATIONAL CONTROLS:

- (1) Each packaging must comply with DOT-SP 12442.
- (2) Packages must be blocked and braced to prevent movement in the aircraft during transportation.
- (3) Each package must be prepared and shipped as required in § 173.318, as applicable for the lading. Additionally, filling and transport conditions must consider any possible pressure rise during air transportation above the pressure controlling valve set-to-discharge pressure.
- (4) ConocoPhillips Alaska, Inc. must ensure that transit time does not exceed the "One Way Travel Time" marked on the portable tank or the calculated marked rated holding time for each portable tank.
- (5) Shipments must be made in a Lockheed C-130 type aircraft, specifically by Lynden Air Cargo, Anchorage, Alaska. Aircraft used to transport the packages must be equipped a means of venting the containers to the exterior of the aircraft.
- (6) Transportation aboard cargo-only aircraft is only authorized when ground transportation is impracticable or impossible.

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

- b. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.
  - c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
  - d. Transportation is only authorized between airports in Alaska.
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft (See paragraphs 7.b., 8.d., and 10.b. for limitations).
10. MODAL REQUIREMENTS:
- a. A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.
  - b. Advanced Notice of FAA Office of Hazardous Materials Safety. The operator of the aircraft must notify the FAA Office of Hazardous Materials Safety ([9-AWA-AXH-SPFlightNotifications@faa.gov](mailto:9-AWA-AXH-SPFlightNotifications@faa.gov)) and the FAA Hazardous Materials Principal Inspector. This notification must be given at least 72 hours in advance of plans to accept for carriage aboard the aircraft, those hazardous materials authorized herein. The notification must include the point of departure, intermediate stops, destination(s), and a loading and departure schedule. If a flight schedule deviates more than one hour from the originally scheduled departure time, the operator of the aircraft must immediately notify [9-AWA-AXH-SPFlightNotifications@faa.gov](mailto:9-AWA-AXH-SPFlightNotifications@faa.gov). Alternative notification procedures may be established subject to the written approval of the FAA Office of Hazardous Materials Safety.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

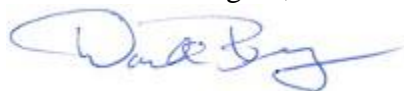
Each “Hazmat employee”, as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—“The Hazardous Materials Safety and Security Reauthorization Act of 2005” (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term “exemption” to “special permit” and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. **REPORTING REQUIREMENTS:** Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-13, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: TG/VC